

REMARKS

Favorable reconsideration and allowance of the present application is respectfully requested.

Claims 25-31 and 33-52 are currently pending in the present application, including independent claims 25, 37, and 46. Independent claim 25, for instance, is directed to an antimicrobially-treated composite fabric comprising a nonwoven continuous filament substrate hydraulically entangled with pulp fibers. The pulp fibers comprise between about 60% to about 90% by weight of the composite fabric. Further, substantially all of the pulp fibers present within the composite fabric are treated with an organosilicone antimicrobial agent.

In the Office Action, independent claims 25, 37, and 46 were rejected under 35 U.S.C. §102(b) as being unpatentable over U.S. Patent No. 4,929,498 to Suskind, et al. Suskind, et al. is directed to an antimicrobially-active nonwoven fabric. According to Suskind, et al., nonwoven fabrics, such as airlaid, wetlaid, and hydroentangled, are envisioned whereby a portion (for example, from about 10-50%) of the normal pulp charge is replaced by the antibacterially-modified pulp. (Col 2, lines 16-20). Specifically, from 10% through 50%, preferably from 15% through 25%, of the fibers used to make the web will be those that have been pre-treated with the antimicrobial. (Col 3, lines 36-38). In Example 2, for instance, Suskind, et al. describes a process in which 3-(trimethyoxysilyl)-propyloctadecyldimethylammonium chloride was added gradually to a hydropulper containing wood pulp. The slurry was formed into a pulp sheet on a conventional wet-forming machine and dried. Weyerhaeuser Evergreen Summit debonded softwood pulp was combined with the antimicrobially-treated pulp in

a ratio of 80 parts by weight to 20 parts by weight and formed into a bonded pulp nonwoven fabric using the airlaid process.

Contrary to Suskind, et al., however, independent claims 25, 37, and 46 require a fabric in which substantially all of the pulp fibers are derived from the antimicrobially-treated cellulosic fibrous material. Contrary to claims 25, 37, and 46, Suskind, et al. replaces only from 10% to 50% of the normal pulp charge used in forming a web with antibacterially-modified pulp. Not only do the wipers of Suskind, et al. fail to satisfy the limitations of claims 25, 37, and 46, such wipers are exactly the type that the present invention was designed to overcome. In particular, the main problem with the wipers of Suskind, et al., as addressed in the "Background of the Invention" section of the present application, is that they tend to provide inadequate microbial kill percentage. Thus, Applicants respectfully submit that the wipers of Suskind, et al. do not anticipate independent claims 25, 37, and 46.

Nevertheless, Suskind, et al. does include a single Comparative Example in which an airlaid web was formed from 100% Evergreen pulp using an acrylic binder to which has been added sufficient antimicrobial so that the finished product contains approximately 1.5% antimicrobial by weight. (Col 6, lines 55-60). However, even if the Comparative Example describes the formation of a web from predominantly antimicrobially-treated pulp fibers, Suskind, et al. still fails to teach other aspects of independent claims 25, 37, and 46. For instance, there is simply no teaching in Suskind, et al. to hydraulically entangle the web of the Comparative Example with a nonwoven substrate so that the airlaid web comprises from about 60% to about 90% by weight of the resulting fabric to achieve the limitations of independent claims 25, 37, and

46. This particular weight percentage is not simply a design choice, but instead helps provide the fabric with the desired antimicrobial efficacy and water absorption properties.

Thus, for at least the reasons set forth above, Applicants respectfully submit that independent claims 25, 37, and 46 are not anticipated by the above-cited reference. In addition, Suskind, et al. was also cited to reject dependent claims 26-31, 33-36, 38-45, and 47-52. Applicants respectfully submit, however, that at least for the reasons indicated above relating to corresponding independent claims 25, 37, and 46, the corresponding dependent claims are not anticipated by the reference cited. However, Applicants also note that the patentability of the dependent claims does not necessarily hinge on the patentability of independent claims 25, 37, and 46. In particular, some or all of these claims may possess features that are independently patentable, regardless of the patentability of claims 25, 37, and 46.

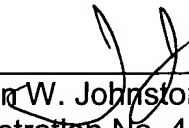
It is believed that the present application is in complete condition for allowance and favorable action, therefore, is respectfully requested. Examiner Fortuna is invited and encouraged to telephone the undersigned, however, should any issues remain after consideration of this Amendment.

Please charge any additional fees required by this Amendment to Deposit Account No. 04-1403.

Appl. No. 10/632,219
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Respectfully requested,

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